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MAILED

AUG 21 2009

OFFICE OF PETITIONS

In re Application of :
Niels Werner Larsen :
Application No. 10/587,898 :
Filed: July 28, 2006 :
Attorney Docket No. P08961US11/DEJ :

ON PETITION

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed July 21, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply to the Restriction Requirement mailed August 25, 2008, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). A Notice of Abandonment was mailed March 17, 2009. On March 19, 2009, a petition under 37 CFR 1.137(b) was filed; however, the petition was dismissed in a decision mailed July 15, 2009. In response, on July 21, 2009 the present petition was filed.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an election of the species to be examined, (2) the petition fee of \$810, and (3) an adequate statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.

This application is being referred to Technology Center 2837 for further examination on the merits.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions